

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CANDIS PAYNE,	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:12-CV-5219-M (BF)
	§	
WELLS FARGO BANK, N.A., et al.,	§	
Defendants.	§	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Accordingly, Defendant Wells Fargo Bank, N.A.'s ("Wells Fargo") Motion to Dismiss Plaintiff's First Amended Original Petition Pursuant to Rule 12(b)(6) and Brief in Support (doc. 16) is **GRANTED** and Plaintiff's claims against Wells Fargo are dismissed. However, the Court will grant Plaintiff one final opportunity to replead her claims that concern a lack of proper notice. Plaintiff shall have **30 days from the date of this Order** in which to file her second amended petition. If Plaintiff repleads, Wells Fargo may file another motion to dismiss, if it has a reason to do so. If Plaintiff chooses not to replead, this Court will enter judgment in favor of Wells Fargo.

SO ORDERED this 27th day of September, 2013.



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS